

ORDINANCE NO. 191-21

BY: KRISTIN L. SABAN
(By Request – City Engineer)

AN ORDINANCE TO ACCEPT PERMANENT UTILITY EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS IN CERTAIN PREMISES KNOWN AS PERMANENT PARCEL NUMBER 445-15-004, AND DECLARING AN EMERGENCY.

WHEREAS, this City Council passed Resolution No 82-19 on May 20, 2019 declaring the necessity and intent of the City of Parma to appropriate sanitary sewer easements in certain real property known as Permanent Parcel No. 445-15-004, located at 1250 Old Rockside Road;

WHEREAS, this matter which was in litigation and known as Parma vs. Petro Lasiychuk, et al., Case No. 2020-ADV-252336 is now settled.

NOW, THEREFORE; BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. The City of Parma hereby accepts all rights, title and interest granted to, and all obligations and liabilities imposed upon, the City of Parma as Grantee in, to and under the terms of that certain “Temporary Construction and Permanent Utility Easement Agreement” for Permanent Parcel No. 445-15-004 dated October 6, 2021, which is attached hereto as Exhibit “A” and incorporated herein by reference as the “Lasiychuk Easement.”

Section 2. The Mayor is hereby authorized and directed to execute the Lasiychuk Easement.

Section 3. The City Law Director is hereby authorized and directed to do all things necessary to file the Lasiychuk Easement for record.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary for the construction, installation, use, operation, maintenance, repair and replacement of a sanitary sewer in the City of Parma, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR, CITY OF PARMA, OHIO